

**REMARKS****I. OVERVIEW**

Claim 1 is now pending in the present application.

**II. CLAIM OBJECTIONS**

The Examiner objects to claim 1 as recited because of the following informalities: the phrase "amino acid dicarboxylic acid" is recited. The Examiner states the chemical name "acid" is improper in the claimed chemical name. Applicants thank the Examiner for pointing this error out to them. Accordingly, claim 1 has been modified so that it now recites "amino dicarboxylic acid". Therefore, Applicants respectfully request that the Examiner withdraw the objections to claim 1.

**III. CLAIM REJECTIONS - 35 U.S.C. § 102(b)**

The Examiner rejects claim 1 under 35 U.S.C. § 102(b) as being anticipated clearly by Cardinal et al. (U.S. 2,849,468). The Examiner states that Cardinal et al. discloses the preparation of zinc salts of glutamic acid in the following example located at column 4, lines 60-71. The Examiner states that this is identical with claim 1. It is believed that the rejection is moot in view of the claim limitation to 1:1 neutral complexes.

Claim 1 has now been amended to include the language "1:1" before the language "neutral complex" to clarify that the compounds here claimed in the present application are both neutral and that the ratio of an essential trace element to a dicarboxylic alpha amino acid is 1:1. 1:1 refers to the ratio of amino acid moiety to trace element moiety. Support for these

amendments is found on page 7, lines 27-31 and page 8, lines 1-10 of the specification. No new matter has been added.

Claim 1 as amended is not anticipated by Cardinal et al., '468. The Cardinal reference teaches the preparation of certain zinc salts of glutamate acid (Cardinal et al., '468, column 1, lines 18-19). The complexes disclosed by Cardinal et al. are not the same as the specific limitation here of 1:1 neutral complexes disclosed in the amended claim 1 and in the specification page 7, lines 27-30. Rather, Cardinal et al. gives examples of zinc salts of amino acid. It is clear that the inventor is referring to salts of zinc and does not appreciate the difference between 1:1 and other ratios of complexes or even how to derive the current claimed invention of neutral 1:1 complexes (Cardinal et al., '468, column 3, line 75 - column 4, line 1-7; Example 1, column 4, lines 30-37; Example 2, column 4, lines 45-52). In fact, the Inventor states "the exact chemical formula for the zinc glutamate salts prepared in accordance with the instant process is not definitely known." (Cardinal et al., '468, column 4, lines 17-23).

Further, claim 1 is not anticipated by Cardinal et al. '468 since the inventor states that the "zinc glutamate and the zinc magnesium are very insoluble in water." (Col 4, lines 8-9). The insolubility of the complex circumstantially indicates that the complexes are not 1:1 neutral complexes. The novel 1:1 neutral complexes claimed here are important because they retain the favorable biological characteristics, while being processable. See specification, at page 7, lines 19-25. The specification describes the second group of metal to amino acid complexes in a ratio of 1:2, and explains why they won't work, they are not highly soluble, and have a low bioavailable leading to low absorption. The present invention discloses novel 1:1 neutral complexes of diaminodicarboxylics that overcome these shortcomings and meet the dietary needs of animals in a cost effective and bioavailable manner. See page 7, lines 19-26. Therefore, this

suggests that the other complexes made by Cardinal also are not 1:1 neutral complexes and do not meet the specific limitation of 1:1 neutral complexes disclosed in the current claims and page 7, lines 27-30 of the specification. As a result, Cardinal discloses soluable acid complexes and there is no teaching of 1:1 neutral complexes as required by the present application.

The Cardinal reference does not anticipate the present invention under § 102(b) because Cardinal et al. does not meet every limitation of the claim. Thus, the disclosed zinc glutamate salt disclosed in Cardinal et al., does not meet the claimed complexes of the present invention because Cardinal et al. does not recite the limitation of a 1:1 neutral complex of essential trace elements and a dicarboxylic alpha amino acid as defined in the current claim. Therefore, claim 1 is not anticipated by Cardinal et al., et al. '468. Applicants respectfully request that the rejection of claim 1 35 U.S.C. § 102(b) be withdrawn and reconsidered.

#### IV. CONCLUSION

For all the above-stated reasons, it is believed this application is in *prima facie* condition for allowability. Allowance is respectfully requested.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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